

**EXHIBIT 1**

## Kapaloski, Tammy

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**From:** Kapaloski, Tammy  
**Sent:** Thursday, March 6, 2025 4:23 PM  
**To:** 'Nathan Thomas'; Patrick McGill  
**Cc:** Foster, Brett; MBader@sheppardmullin.com; JSalen@sheppardmullin.com; Liz Butler  
**Subject:** RE: Blendtec v. BlendJet  
**Attachments:** 2025-03-06 - BlendJet -- Blendtec -- Stipulated Motion for Extension of Time to Respond to Motion to Consolidate (DW Edits).docx

Nate,

We do not agree to some of the text in the proposed stipulated motion. We have stricken this text from the attached (in redline). With our deletions, you have our permission to affix my esignature and file. We are fine with the proposed order.

Regards,  
Tammy

**From:** Nathan Thomas <NThomas@parsonsbehle.com>  
**Sent:** Thursday, March 6, 2025 3:54 PM  
**To:** Patrick McGill <patrick@mcgillco.com>; Kapaloski, Tammy <kapaloski.tammy@dorsey.com>  
**Cc:** Foster, Brett <foster.brett@dorsey.com>; MBader@sheppardmullin.com; JSalen@sheppardmullin.com; Liz Butler <LButler@parsonsbehle.com>  
**Subject:** RE: Blendtec v. BlendJet

EXTERNAL FROM OUTSIDE DORSEY. BE CAUTIOUS OF LINKS AND ATTACHMENTS.

Tammy,

Thank you for the courtesy on the motion to consolidate. Please see a proposed joint motion and order for your review. If you are okay with this, please let me know if we can affix your signature on each document. Alternatively, if you have proposed changes, please let me know.

Best,  
Nate

 **Nathan Thomas**  
Attorney at Law  
Direct +1 801.536.6977

**From:** Patrick McGill <patrick@mcgillco.com>  
**Sent:** Thursday, March 6, 2025 2:04 PM  
**To:** [kapaloski.tammy@dorsey.com](mailto:kapaloski.tammy@dorsey.com)  
**Cc:** [foster.brett@dorsey.com](mailto:foster.brett@dorsey.com); [MBader@sheppardmullin.com](mailto:MBader@sheppardmullin.com); [JSalen@sheppardmullin.com](mailto:JSalen@sheppardmullin.com); Nathan Thomas <NThomas@parsonsbehle.com>; Liz Butler <LButler@parsonsbehle.com>  
**Subject:** RE: Blendtec v. BlendJet

Tammy,

BlendJet agrees to the condition you outline in exchange for the three week extension to respond to the motion to consolidate in the 2021 Action. We will prepare the stipulated continuance and send for your review.

With respect to the 2025 Action, none of the attorneys representing BlendJet in the 2021 Action have been retained to represent it in that matter. As such, we will ensure that BlendJet is aware of Blendtec's willingness to grant the conditional extension on its time to respond to the complaint in the 2025 Action, but cannot confirm acceptance of the condition on its behalf.

Sincerely,  
Patrick

**From:** [kapaloski.tammy@dorsey.com](mailto:kapaloski.tammy@dorsey.com) <[kapaloski.tammy@dorsey.com](mailto:kapaloski.tammy@dorsey.com)>  
**Sent:** Thursday, March 6, 2025 11:03 AM  
**To:** [NThomas@parsonsbehle.com](mailto:NThomas@parsonsbehle.com)  
**Cc:** [foster.brett@dorsey.com](mailto:foster.brett@dorsey.com); [MBader@sheppardmullin.com](mailto:MBader@sheppardmullin.com); [JSalen@sheppardmullin.com](mailto:JSalen@sheppardmullin.com); [LButler@parsonsbehle.com](mailto:LButler@parsonsbehle.com); Patrick McGill <[patrick@mcgillco.com](mailto:patrick@mcgillco.com)>  
**Subject:** RE: Blendtec v. BlendJet

Hi Nate,

We will agree to a three-week extension of Blendjet's deadline to respond to the motion to consolidate in case no. 21-cv-668 (the "2021 Action"), on the condition that Blendjet agrees not to raise the extension in any manner in any preliminary injunction motion that Blendtec files. If Blendjet agrees, please prepare a stipulated continuance of Blendjet's time to respond to the motion to consolidate for our review.

With respect to Blendjet's response to the complaint filed in case no. 25-cv-96 (the "2025 Action"), since neither Parsons nor Sheppard Mullin represents Blendjet in the 2025 Action, and are therefore not authorized to seek an extension on behalf of Blendjet or make representations to the Court on behalf of it, we cannot agree to an extension of Blendjet's time to respond. If Blendjet or its retained attorneys request an extension from us directly, we would likely agree to a three-week extension on the same condition as before – *i.e.*, that Blendjet does not argue that the extension impacts Blendtec's ability to seek a preliminary injunction or negates irreparable harm. If Patrick is representing Blendjet in the 2025 Action, and can confirm that Blendjet will not raise the extension in any preliminary injunction motion that Blendtec files, we would be okay with the requested extension of Blendjet's time to respond to the complaint.

Regards,  
Tammy

**From:** Nathan Thomas <[NThomas@parsonsbehle.com](mailto:NThomas@parsonsbehle.com)>  
**Sent:** Wednesday, March 5, 2025 3:38 PM  
**To:** Kapaloski, Tammy <[kapaloski.tammy@dorsey.com](mailto:kapaloski.tammy@dorsey.com)>; Foster, Brett <[foster.brett@dorsey.com](mailto:foster.brett@dorsey.com)>  
**Cc:** [MBader@sheppardmullin.com](mailto:MBader@sheppardmullin.com); Jesse Salen <[JSalen@sheppardmullin.com](mailto:JSalen@sheppardmullin.com)>; Liz Butler <[LButler@parsonsbehle.com](mailto:LButler@parsonsbehle.com)>; Patrick McGill <[patrick@mcgillco.com](mailto:patrick@mcgillco.com)>  
**Subject:** Blendtec v. BlendJet

EXTERNAL FROM OUTSIDE DORSEY. BE CAUTIOUS OF LINKS AND ATTACHMENTS.

Brett and Tammy,

Hope you are both well. As you are likely aware, BlendJet's opposition to Blendtec's motion to consolidate is due tomorrow and its response to the newly filed complaint is separately due March 12. Neither our firm nor Sheppard Mullin has yet been engaged on the new matter. BlendJet, however, has asked if you would be amenable to a three-week extension to each of these deadlines. This would allow it the opportunity to assess whether it intends to oppose the motion and sort out representation in the new matter. If this works for you, please let me know and we can prepare appropriate documentation.

Thank you for your courtesy on this matter.

Best,  
Nate



A Professional  
Law Corporation

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*Attorneys for Defendant BlendJet Inc.*

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,  
Plaintiff,

v.

BLENDJET INC., a Delaware Corporation,  
Defendant.

**JOINT AND STIPULATED MOTION  
FOR EXTENSION OF TIME FOR  
DEFENDANT TO RESPOND TO  
PLAINTIFF'S MOTION TO  
CONSOLIDATE**

Case No. 2:21-cv-00668-TC-DBP

Judge Tena Campbell  
Magistrate Judge Dustin B. Pead

Plaintiff Blendtec Inc. (“Plaintiff”) and defendant BlendJet Inc. (“Defendant”), by and through their undersigned counsel, hereby stipulate and jointly move the Court for an order extending Defendant’s time to respond to Plaintiff’s Motion to Consolidate [Dkt. No.200] (the “Motion”).

Defendant’s response to the Motion is presently due on March 6, 2025. The Motion seeks to consolidate the above-captioned action (the “2021 Action”) with the newly filed matter entitled *Blendtec, Inc. v. BlendJet, Inc., et al.*, Case No. 2:25cv-00096-DBP, brought by Plaintiff against Defendant BlendJet as well as additional parties (the “2025 Action”). ~~Because the 2025 Action introduces additional parties and new claims,~~ Defendant BlendJet requested three (3) additional weeks to respond to the Motion ~~to allow for consideration of the motion in context~~ and to coordinate its representation in the 2025 Action. Plaintiff’s counsel agreed. Accordingly, for good cause appearing, the parties jointly hereby move the Court for an order extending the deadline for Defendant to respond to the Motion to **March 27, 2025**. A proposed order is attached hereto.

Submitted this 6th day of March 2025.

/s/

**SHEPPARD, MULLIN, RICHTER & HAMPTON LLP**

Martin R. Bader (*pro hac vice*)

Jesse A. Salen (*pro hac vice*)

**MCGILL & CO., P.C.**

Patrick McGill (*pro hac vice*)

**PARSONS BEHLE & LATIMER**

Nathan D. Thomas (USB #11965)

Elizabeth M. Butler (USB #13658)

/s/

(signed by Nathan Thomas with permission via electronic mail dated March 6, 2025)

**DORSEY & WHITNEY LLP.**

Brett Foster

Grant Foster

Tamara Kapaloski

111 South Main Street, Suite 2100

Salt Lake City, Utah 84111

*Attorneys for Plaintiff*

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 6<sup>th</sup> day of March 2025, that a true and correct copy of the foregoing has been filed with the Clerk of Court, by using the CM/ECF system to deliver a true and correct copy of the foregoing to the following:

Brett Foster  
Tamara Kapaloski  
**DORSEY & WHITNEY LLP**  
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Salt Lake City, UT 84111  
Tel.: (801) 933-7360  
[foster.brett@dorsey.com](mailto:foster.brett@dorsey.com)  
[kapaloski.tammy@dorsey.com](mailto:kapaloski.tammy@dorsey.com)  
*Attorneys for Plaintiff Blendtec*

/s/ Nathan D. Thomas